

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA

* CRIMINAL DOCKET NO. 09-231

V.

*** SECTION: "I"**

DAVID ORTA-RAMOS

✿

a/k/a Antonio Ramirez

✻

a/k/a Jose Manuel Rangel

* * *

FACTUAL BASIS

Should this matter have gone to trial, the Government would have proven beyond a reasonable doubt, through the introduction of competent testimony and admissible tangible exhibits, the following facts to support the allegations charged by the Indictment now pending against the defendant:

The Defendant, **DAVID ORTA-RAMOS** (hereinafter “**ORTA**”), has agreed to plead guilty as charged to the one-count Indictment charging him with fraud and misuse of an alien registration receipt card, in violation of Title 18, United States Code, Section 1546(a).

Records from United States Immigration and Customs Enforcement (hereinafter “ICE”) would be introduced in evidence to show that the defendant, **ORTA**, is a citizen and national of Mexico. An ICE Special Agent would testify as to the ICE records concerning the defendant and would specifically testify that a search of the relevant records revealed the defendant was not lawfully admitted to the United States.

An official with United States Citizenship and Immigration Services (hereinafter “CIS”) would testify that Alien Registration Receipt Cards, also known as Permanent Resident Cards or “Green Cards”, are issued to individuals who lawfully apply for and are granted Lawful Permanent Resident status by CIS. The CIS official would testify that Alien Registration Receipt Cards are issued to Lawful Permanent Residents for entry into and evidence of authorized stay and employment in the United States. The CIS official would testify each person granted Lawful Permanent Resident status is issued an Alien Registration number, which is printed on the Alien Registration Receipt Card issued to that person. The CIS official would further testify that the issuance of Alien Registration Receipt Cards is administered by CIS, an agency of the United States Department of Homeland Security, and is regulated by CIS and ICE.

An ICE Immigration Enforcement Agent and witnesses from the St. John the Baptist Parish Sheriff’s Office would testify that on or about July 28, 2009, in the Eastern District of Louisiana, **ORTA** was found to be in knowing possession of an Alien Registration Receipt Card in the name **Antonio Ramirez** with the Alien Registration

number A 093-548-353. The witnesses would testify that the Alien Registration Receipt Card contained a photograph of an individual who appeared to be the defendant. The ICE Immigration Enforcement Agent would testify that the defendant identified himself as **DAVID ORTA-RAMOS**.

Records from CIS and ICE would be introduced to show the defendant, **ORTA**, did not lawfully apply for nor receive Lawful Permanent Resident status under his true identity or under the alias **Antonio Ramirez**. The CIS official would also testify that Alien Registration number A093-548-353 printed on the Alien Registration Receipt Card found in the defendant's possession is false and there is no record of that number in the CIS or ICE records.

A forensic specialist from the ICE Forensic Document Laboratory would testify that he conducted physical, microscopic, instrumental and comparative examinations of the Alien Registration Receipt Card found in **ORTA**'s possession and it is counterfeit.

He would further testify that the document does not contain genuine security features and was produced using incorrect methods.

ROBERT WEIR
Special Assistant United States Attorney

Date

DAVID ORTA-RAMOS
Defendant

Date

VALERIE JUSSELIN
Attorney for Defendant

Date